



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/059,293

01/31/2002

Chih-Wen Huang

SUND 276

7152

43831

7590

09/06/2006

EXAMINER

WORKU, NEGUSSIE

BERKELEY LAW & TECHNOLOGY GROUP

1700NW 167TH PLACE

SUITE 240

BEAVERTON, OR 97006

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/059,293

Applicant(s)

HUANG ET AL.

Examiner

Negussie Worku

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

DOUGLAS Q. TRAN
PRIMARY EXAMINER

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 21, 2006, has been entered.

2. Applicant's arguments filed August 29, 2005, have been fully considered but they are not persuasive. Therefore, Examiner believes that the prior art used to reject the application in the last Office action still read on the claimed limitation as further discussed below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

Art Unit: 2625

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Neukermans et al. (USPAP 2002/0011558).

With respect to claim 1, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP), (a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18) comprising: an operation panel (display on the PDA 252 of fig 2) for a user to input a data and a scanning order, (col.5, paragraph 0061, lines 20-25); a control processing unit (PDA 252 of fig 2, includes note book or PC computer, for controlling and processing) electrically connected to the operation panel for proceeding logic operation and data processing, (col.5, paragraph 0057, lines 13-17) and receiving the scanning order, (col.5, paragraph 0057, lines 13-17); and a scanning apparatus (100 of fig 5 and 5A) electrically connected to the control processing unit (PDA of fig 5, (col.5, paragraph 0057, lines 13-17) for scanning a to-be-scanned document, (col.5, paragraph 0057, lines 13-17), the control processing unit being capable of controlling (PDA of fig 5 and 5A) the scanning operation of the scanning apparatus (100 of fig 5) after receiving the scanning order, the scanning apparatus (fig 5) comprising: a scanning channel (input slit 214 of fig 5, at the front of the housing) for the to-be-scanned document (134 of fig 4); a light source (104 of fig 1) equipped in a side of the scanning channel to provide the light for scanning; and a photo-electronic imaging device (108 of fig 1) equipped in the side of the scanning channel (input slit 214 of fig 5, at the front of the housing) to capture image of the to-be-scanned document (132 of fig 1), wherein the scanning channel

Art Unit: 2625

(input slit, for inserting card 254 of fig 5 310 of fig 3B) is at least partially coextensive with said operation panel (302a of fig 3b).

With respect to claim 2, Neukermans et al. discloses a handheld Multi-Function Peripheral comprising (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18) a Personal Digital Assistant (PDA), (PDA of fig 5, col.5, paragraph 0057, lines 13-17).

With respect to claim 3, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the PDA (252 of fig 2) further comprises a display for showing the data and the scanning condition, (display on the PDA 252 of fig 2, shows the activity of the scanner 100 of fig 5).

With respect to claim 4, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the display comprises a touch screen integrated with a Liquid Crystal Display (LCD), (a display device on the PDA 252 of fig 2, could be a touch screen).

With respect to claim 5, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the PDA (252 of fig 5) further comprises a stylus, (PDA 252 of fig 5, inherently provides by cursive writing with a stylus on the PDA) which is removable equipped on the PDA, for

Art Unit: 2625

touching the display to input the data and give the scanning order, the image is capable of being edited on the PDA after scanning, (col.1, paragraph 0006, lines 4-7).

With respect to claim 6, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the PDA (PDA 252 of fig 2) further includes a control button (a button on display PDA 252 fig 5, used to input data) for the user to input the data and give the scanning order.

With respect to claim 7, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), comprises a calculator (any handheld scanner including PDA 252 of fig 2, inherently provides a calculator).

With respect to claim 8, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the calculator further includes a display for showing the data and the scanning condition (any handheld scanner including PDA 252 of fig 2, inherently provides a calculator and the result of the calculation displayed on the display of PDA 252 of fig 5).

With respect to claim 9, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the display is a Liquid Crystal Display (LCD) (display on PDA 252 of fig 5).

With respect to claim 10, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the calculator further includes a key part for the user to input the data and give the scanning order, (since PDA 252 of fig 2, inherently provides a calculator, it also provides a key pad shown in fig 5 for inputting a data).

With respect to claim 11, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the light source comprises a Light Emitting Diode (LED), (light source 104 of fig 1, is a LED, see col.4, paragraph 0046, lines 12-14).

With respect to claim 12, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the photoelectronic imaging device comprises a Charged Coupled device (CCD), see (col.1, paragraph 0007, lines 1-8).

With respect to claim 13, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the photoelectronic imaging device comprises a Contact Image Device (CIS), (Charged Coupled device (CIS can be also used), see (col.1, paragraph 0007, lines 1-8).

With respect to claim 14, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the scanning apparatus (100 of fig 1) further comprises a transmission mechanism (a document feed roller and motor 202 of fig 1, see col.4, paragraph 0046, lines 1-8) for transmitting the to-be-scanned document in the scanning channel (slit 214 of fig 2).

With respect to claim 15, Neukermans et al. discloses a handheld Multi-Function Peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the transmission mechanism includes a plurality of rollers, see (col.4, paragraph 0046, lines 1-8).

With respect to claim 16, Neukermans et al. discloses a handheld Multi-Function peripheral (MFP, a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the to-be-scanned document comprises a business card (254 of fig 5, col.5, paragraph 0057, lines 3-8).

With respect to claim 17, Neukermans et al. discloses an apparatus, comprising, (a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18) comprising: an operation panel (display on the PDA 252 of fig 2) for a user to input a data and a scanning order, (col.5, paragraph 0061, lines 20-25); a control processing unit (PDA 252 of fig 2, includes note book or PC computer, for controlling and processing) electrically connected to the operation panel for proceeding logic operation and data processing,

Art Unit: 2625

(col.5, paragraph 0057, lines 13-17) and receiving the scanning order, (col.5, paragraph 0057, lines 13-17); and a scanning apparatus (100 of fig 5 and 5A) electrically connected to the control processing unit (PDA of fig 5, (col.5, paragraph 0057, lines 13-17) for scanning a to-be-scanned document, (col.5, paragraph 0057, lines 13-17), the control processing unit being capable of controlling (PDA of fig 5 and 5A) the scanning operation of the scanning apparatus (100 of fig 5) after receiving the scanning order, the scanning apparatus (fig 5) comprising: a scanning channel (input slit 214 of fig 5, at the front of the housing) for the to-be-scanned document (134 of fig 4); a light source (104 of fig 1) equipped in a side of the scanning channel to provide the light for scanning; and a photo-electronic imaging device (108 of fig 1) equipped in the side of the scanning channel (input slit 214 of fig 5, at the front of the housing) to capture image of the to-be-scanned document (132 of fig 1), wherein the scanning channel (input slit, for inserting card 254 of fig 5 310 of fig 3B) is at least partially coextensive with said operation panel (302a of fig 3b).

With respect to claim 18, Neukermans et al. discloses an apparatus, (a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), wherein the scanning apparatus (scanner 100 of fig 6a) is capable of scanning currently two sides of the to-be-scanned documents (both side of the card are manually inserted sequentially in order to scan both side of the document, col.4, paragraph 0046, lines 1-3).

Art Unit: 2625

With respect to claim 19, Neukermans et al. discloses an apparatus, (a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), the operation panel (display on the 252 of fig 2, col.5, paragraph 0060, lines 10-17) being capable of displaying the to-be-scanned document in response to the scanning operation, (col.5, paragraph 0060, lines 10-17).

With respect to claim 20, Neukermans et al. discloses an apparatus, (a scanner 100 of fig 5, col.5, paragraph 0057, lines 1-18), the operation panel (display on the PDA 252 of fig 2) being capable of receiving an input form a user to control the scanning operation, (col.5, paragraph 0060, lines 10-17).

Response to applicant's remarks

5. Applicant's arguments filed December 12, 2005, have been fully considered but they are not persuasive.

Applicant's remarks/arguments discussed in page 8 of the response indicates the newly amended claimed limitation of claim 1, "where the scanning channel is at least partially coextensive with said operation panel" including the newly submitted claims 17-20, which is similar to the claim 1.

However, the prior art used to reject the claimed invention of the application, still teaches as submitted in the office action discussed below. Specifically, as indicated in the prior art, scanner 100 of fig 5; having an input slit 214 (scanning path or channel) in

Art Unit: 2625

which document 256 is inserted, and scanned by scanner 100 of fig 5, and controlled by operation panel PDA 252 of fig 5, as discussed in col.4, paragraph 0046.

Further more, applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Negussie Worku
8/31/06

DOUGLAS Q. TRAN
PRIMARY EXAMINER
Tran Douglas